
Introduced Version

**HOUSE CONCURRENT
RESOLUTION No. _____**

DIGEST OF INTRODUCED RESOLUTION

A CONCURRENT RESOLUTION urging diversity and inclusion
in the American private enterprise system.

Crawford

_____, read first time and referred to Committee on

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HC 1047/DI 84+



HOUSE CONCURRENT RESOLUTION

A CONCURRENT RESOLUTION urging diversity and inclusion in the American private enterprise system.

Whereas, The Indiana General Assembly finds and declares that the essence of the American economic system of private enterprise is free competition;

Whereas, Only through full and free competition can free markets, reasonable and just prices, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured;

Whereas, The preservation and expansion of that competition is basic to the economic well-being of Indiana and that well-being cannot be realized unless the actual and potential capacity of minority, small and women business enterprises is encouraged and developed;

Whereas, It is the declared policy of the state to aid the interests of minority, small, and women business enterprises in order to preserve reasonable and just prices and a free competitive enterprise, to ensure that a fair proportion of the total purchases and contracts or subcontracts for commodities, supplies, technology, property, and services for regulated utilities are award to minority, small and women business enterprises, and to maintain and strengthen the overall economy of



Indiana;

Whereas, The Indiana General Assembly finds all of the following:

The opportunity for full participation in our free enterprise system by minority, small and woman business enterprises is essential if Indiana is to attain social and economic equality for those businesses and improve the functioning of Indiana's economy;

Whereas, Public agencies that have established short and long range minority, small and woman business enterprise goals are awarding at least five percent (5%) of the agencies' contracts to these business enterprises;

Whereas, Minority, small and woman business enterprises have traditionally received less than a proportionate share of regulated public utility procurement contracts;

Whereas, It is in the interest of the state to expeditiously improve the economically disadvantaged position of minority, small and woman business enterprises;

Whereas, The position of these businesses can be improved by providing long range substantial goals for procurement by regulated public utilities of technology, equipment, supplies, services, materials, and construction work from women, minority, and small businesses; and

Whereas, That procurement also benefits the regulated public utilities and consumers of Indiana by encouraging the expansion of the number of suppliers for procurement, thereby encouraging competition among the suppliers and promoting economic efficiency in the process: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*



SECTION 1. That the Indiana General Assembly:

(1) Encourage greater economic opportunity for minority, small and woman business enterprises.

(2) Promote competition among regulated public utility suppliers in order to enhance economic efficiency in the procurement of electrical, gas, water and telephone corporation contracts and contracts of their commission regulated subsidiaries and affiliates.

(3) Clarify and expand the program for the procurement by regulated public utilities of technology, equipment, supplies, services, materials, and construct work from minority, small and woman business enterprises.

SECTION 2. That in accordance with the National Association of Utility Regulatory Commissioners, to encourage and enhance greater participation for under utilized disadvantaged businesses.

SECTION 3. That the Indiana Department of Minority Business shall establish guidelines for all regulated electrical, gas, water, and telephone corporations and their subsidiaries and affiliates to be used in establishing programs that promote the procurement of minority, small and woman business.

SECTION 4. That each electrical, gas, water, and telephone corporation shall furnish an annual report to the department regarding the implementation of programs established under this chapter.

SECTION 5. That the department shall annually designate the form for the report and the time that the report must be submitted.

SECTION 6. That the department shall provide a report to the Indiana General Assembly not later than November 1 of each year on the progress of activities undertaken by each regulated electrical, gas, water, and telephone corporation under this chapter in the implementation of minority, small and woman business enterprise development programs. As part of the report, the department shall recommend a program for carrying out the policy declared in this chapter together with recommendations for legislation that the department considers necessary or desirable to further that policy.

SECTION 7. The department shall by rule or order adopt criteria for verifying and determining the eligibility of minority, small and woman business enterprises for procurement contracts.

SECTION 8. That the department shall develop an out reach program to inform and recruit minority, small and woman business enterprises to apply for procurement contracts.

SECTION 9. That each regulated electrical, gas, water, and telephone corporation and its subsidiaries and affiliates shall implement an outreach program developed by the department.

SECTION 10. That in order to facilitate the participation of minority owned businesses, small owned businesses, and woman businesses in contract procurement, a corporation may consider the following



- 1 measures to include those businesses in all phases of contracting:
2 (1) Timely or progressive payments to those businesses.
3 (2) An amendment of the performance bond requirements
4 when past performance within a specified area of business
5 justifies that consideration.
6 (3) The provision of assistance to those businesses by
7 securing contract payments to those businesses with letters of
8 credit, negotiable securities, or other financing arrangements or
9 measures.

